

Appl. No. 09/840,552
Amendment Dated March 1, 2004
Reply to Office Action of November 28, 2003

Remarks:

Reconsideration of the application is requested. Claims 2-5, 7-20, and 30-33 are now in the application. Claim 2 has been amended. Claims 24-29 have been canceled.

In item 8 of the above-identified Office action, the Examiner has rejected claim 33 as being indefinite under 35 U.S.C. § 112, first paragraph. Claim 33 has been canceled. Accordingly, the claims meet the requirements of 35 U.S.C. § 112, first paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

In item 10 of the Office action, the Examiner rejected claims 2-3, 7-12, 16, 18-20, and 30 as being obvious over Harvey et al. (GB 1 447 754 A) in view of Matthews (GB 2 323 855 A) and Welch (US 4,209,552) under 35 U.S.C. § 103(a). The rejection has been noted and the claims have been amended in an effort to define more clearly the invention of the instant application. Support for the changes is found on page on page 14, lines 8-10, and page 23, lines 15-25, of the specification.

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Before discussing the prior art in detail, a brief review of the invention as claimed is provided. Amended claim 2 calls for, *inter alia*, a method of cleaning and coating a surface that includes the following step:

cleaning by generating a plasma with electrically positively charged ions, accelerating the ions towards the article, and bringing the ions into contact with the base body for cleaning the base body;

directing an electron beam of electrons onto the base body;

controlling an outgoing flow of the electrons coming into contact with the base body by connecting the base body to a reference potential via a switch at a switching frequency;

coating the metallic base body;

continuing the cleaning step during at least a part of the coating step; and

regulating the switching frequency during the coating step. (Emphasis added by Applicant.)

Harvey discloses to choose the frequency before the cleaning/heating process.

Accordingly, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 2. Therefore, claim 2 is patentable over the art. Moreover, because all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

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In view of the foregoing, reconsideration and allowance of claims 2-5, 7-29 and 30-32 are solicited. In the event the Examiner should still find any of the claims to be unpatentable, please telephone counsel so that patentable language can be substituted. In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,


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